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**NEVADA STATE JUVENILE JUSTICE COMMISSION  
PLANNING AND DEVELOPMENT COMMITTEE MEETING  
MINUTES  
July 18, 2013**

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**Call to Order**

The meeting was called to order by Chairman Coppa at 10:05 a.m.

**Roll Call – Dan Coppa**

Members Present: Dan Coppa

Members Present by Phone: Michael Beam, Elizabeth Florez, John Martin, Lonnie Wright

Members Absent: John Hambrick, Steve McBride, Fernando Serrano

Staff Present: Pauline Salla, J. Alice Mueller

Public Present by Phone: Karen Dickerson, Deputy Attorney General

**Public Comment and Discussion**

There was no public comment.

**Review of Official Minutes from June 13, 2013 Meeting**

There was a minor change made to the minutes of June 13, 2013. Commissioner Martin moved to approve the June 13, 2013 minutes, with a second from Commissioner Florez. The motion was passed by the Committee. .

**Medicaid Room and Board Funding Update – Pauline Salla**

- Review of SFY 2013

Specialist Salla had been unable to disseminate the updated version of the State Fiscal Year 2013 Medicaid Room and Board Funding. Final numbers would be available next week, once outstanding invoices had been accounted for within the counties that have yet to submit their final reports. She was however able to give a verbal update on the Medicaid Room and Board's status. The final quarter for the State Fiscal Year 2013 ended on June 30<sup>th</sup>, 2013 with the State Fiscal Year 2014 starting on July 1<sup>st</sup>, 2013.

## DRAFT

There are three jurisdictions that will have carryover. These are Washoe County, Sixth Judicial (Humboldt, Pershing and Lander) and Seventh Judicial (White Pine, Lincoln and Eureka). They need to submit an estimate of what the carryover amount will be, along with plans on how they intend to use it. Washoe County has already submitted a plan which has been approved. All that they require is to account for their outstanding invoices to ensure accurate accounting of the carry over amount. Sixth Judicial has met with Specialist Salla to develop a plan. They just need to write and submit it. Seventh Judicial is expected to have their plan submitted by the end of the week.

With the new State Fiscal Year beginning on July 1<sup>st</sup>, the only things to report are the amounts. Commissioner Coppa requested this report so the committee could have a frame of reference. Specialist Salla said that she would send it out as soon as she received the updated numbers.

### **PREA Tool Kit Update– Pauline Salla**

The PREA template presented was the final draft from the Statewide PREA Workgroup. It has incorporated feedback on changes and additions. Specialist Salla stressed that these are templates which each facility is going to make facility specific. What this means is that some of the semantic changes that have been discussed will be tailored by the individual facilities. They are free to use a different word, as long as it doesn't change the content. By allowing some leeway, it is hoped that the process will be less cumbersome.

September 1<sup>st</sup>, 2013 is the hoped for implementation date. Once the facilities receive the templates, they can begin staff training on the policies and procedures. This training will need to be documented and submitted to Specialist Salla for her records. The National Audit Cycle for PREA starts in August of 2013 for the adult facilities. The juvenile facilities could be considered for audit by the end of the year but maybe sooner. By implementing the policies and procedures starting on September 1<sup>st</sup>, there is time to train staff and work out any problems. The templates will be sent out with general instructions in addition to information on who they can contact for technical assistance.

Commissioner Martin began a discussion about using revised statutes to assist in implementing the PREA standards. Although no state has actually adopted all of the standards, some have begun to implement them into their state statutes, as Nevada has done with SB107. This was the room confinement bill. It was felt that at the next legislative session, there may be more standards considered. It would be best if the Juvenile Justice Commission had discussions prior to this as the standards do represent unfunded mandates which may prove difficult for many counties.

Commissioner Coppa wondered if some of the Legislative process could be minimized if the standards were made law thru the Nevada Administrative Code. Discussion with the adult facilities was suggested. Will they be going thru the Nevada Administrative Code or the Nevada Revised Statutes? Specialist Salla mentioned that the Legislators had heard a lot about PREA during this last session. It was not however, accepted in full into the Nevada Revised Statutes.

Commissioner Martin pointed out that for Clark County to become PREA compliant just in terms of cameras was going to be over a million dollars. How would some of the rural administrators find the money to become compliant? It was suggested that this discussion be placed on the August agenda. Commissioner Coppa wanted to keep it at the committee level so that a game plan could be devised to present to the Juvenile Justice Commission. This committee would

## DRAFT

review the ramifications of it going statewide thru legislation with the administrative code and/or statutes. A recommendation would be developed to present to the full commission.

Commissioner Coppa then reviewed the templates so as to have some points explained more fully. Some concerns dealt with, who specifically would be contacted on reports, what is involved in a basic State of Nevada background check, privacy issues in cross gender searches, certain hospitals being named, isolation procedures for residents, who could review files, who could visit residents, how long to complete agency decision and verbal vs written reports. The grievance procedures and logs were also discussed as to which complaints are investigated, reported and records logged. Commissioner Beam offered a copy of Garrity, as one had not been secured since the previous meeting. Commissioner Coppa also wished to emphasize that an administrative investigation must remain separate from a criminal investigation. Specialist Salla explained that much of what was clarified would be covered in the facility training.

Commissioner Martin congratulated Specialist Salla on doing a wonderful job and producing a wonderful tool. Commissioner Coppa noted that it will be pretty handy, but training will be key. When asked what more would be needed, Specialist Salla requested the committee move forward with an informational item for the full commission. Commissioner Martin made a motion to approve the Prison Rape Elimination Act, PREA, policies and template for implementation in the State of Nevada by September 1<sup>st</sup>, 2013. Commissioner Beam seconded the motion. The motion was passed by the committee.

The PREA templates will be bound and sent out to the facilities along with electronic versions so that they can make their individual changes. Specialist Salla also offered to send a new copy to Commissioner Coppa, who commented that the PREA workgroup had gone an outstanding job.

#### **2012 Governor's Report– Pauline Salla**

New recommendations have been received from Commissioner Coppa to be included in the 2012 Governor's Report. With the end of the fiscal year, data from the state facilities is beginning to come in. Once all the data is in and updated, then a copy can be sent out for review.

#### **Review the Juvenile Justice Commission Orientation C.D. – Pauline Salla**

The Juvenile Justice Commission Orientation C.D. is almost completed. Commissioners who are reviewing the preliminary copy have until August 1<sup>st</sup> to get any corrections or additions to Alice Mueller. Commissioner Coppa will be passing out the new Juvenile Justice Commission Orientation C.D. at the Quarterly Commission Meeting on August 14<sup>th</sup>, in Winnemucca Nevada.

#### **Audit Information, Elko and White Pine Counties– Pauline Salla**

Specialist Salla was accompanied by Robert Handwerker on the audit. Mr. Handwerker is with the DCFS Fiscal Office in Las Vegas and has an audit background. He assisted in reviewing and ensuring that all the Ely expenditures were put towards grants appropriately. There is a draft letter detailing the results which when finalized will be sent to the committee members.

The bottom line is that Ely and White Pine County have around \$22,000.00 left over. About \$1,300 of this was from the Federal Fiscal Year 11 JABG grant, which including an extension, has a spend out date of September 2013. Much of the rest appears to be from the Community Corrections Partnership Block Grant. The judicial executive assistant who was overseeing the

**DRAFT**

grant mistakenly thought the first year amount covered both years. This resulted in only one year of the grant money being spent. The charges made were appropriate, and their records were great. The question is will the amount be reverted back to the state general fund.

There will be a full scale audit of Elko County, again with the assistance of Robert Handwerker. This should be completed in August. They appear to have excess of both federal and state money. These excess funds seem to go back to 2008. They have submitted a breakdown of what they think each grant for each year looks like. The federal money that is left over is still active with OJJDP. Approval from the fiscal deputy is needed before they spend it out. As with the Ely funds, we are waiting to hear what is to be done with the extra state funds.

The issue of supplanting some of these funds was brought up. Specialist Salla explained that it was unlikely to be JABG money as neither White Pine nor Elko applies for formula or JABG grants. This means that there wouldn't be any funds freed up to RFP to someone else.

Commissioner Florez asked for clarification on expending the surplus by September 2013. Her question was specifically about Washoe County's surplus JABG grant. She wanted to know if for reporting purposes the surplus could be added to the current award, or did it need to remain separate. Specialist Salla explained to the other commissioners that the Federal Fiscal Year 13 JABG grant had been decreased. The total award had gone from \$249,000 to \$192,000. This resulted in decreases for Seventh Judicial, Washoe, Clark and the rural county. Jason Kolenut was able to identify a surplus from the Federal Fiscal Year 11 JABG grant of about \$135,000. This was allocated at 71% to Clark County, 19% to Washoe County and 10% to Lyon County. There is no clear answer from OJJDP on how this surplus should be reported. Specialist Salla did state that if the counties use some of the surplus to offset the decrease in the Federal Fiscal Year 13 award that would be O.K., because it's in the program area that has been approved. Research is still being conducted on how to report this.

#### **Update on job announcement for part-time contractor– Pauline Salla**

Idaho and Utah have been assisting in writing this job description, as they have both recently gone thru this process. Changes will be implemented to make it Nevada specific. When completed, copies will be sent to the committee. Commissioner Coppa mentioned that he would like the committee to see the job description, but did not want that to slow down the process.

#### **Nevada Juvenile Justice Grants Naming– Pauline Salla**

A memo was created which Steve McBride gave to Administrator Amber Howell requesting the renaming of the grant program. Nothing has been heard back at this point. Commissioner Coppa requested a copy of the memo for the committee. If approved, it would be something for the chair to announce when Leon Franklin is present. He also mentioned that a plaque and certificate would be appropriate.

#### **New Business– Dan Coppa**

There was no new business presented to the committee.

#### **Comments from Public**

There were no comments from the public.

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**Set Time, Date and Agenda for Next Meeting**

The next Committee Meeting was scheduled for Thursday August 22, 2013 at 10:00 a.m. This will be a regular video conference with the following agenda.

**Agenda:**

Medicaid Room and Board conclusion for SFY 2013, review of SFY 2014

PREA Tool Kit, recommendation to the Commission

2012 Governor's Report

Audit information from Elko County

Update on job announcement for part time contractor in southern Nevada

Open Meeting Law Revision, how AB65 changes the agenda form.

**Adjourn**

The meeting was adjourned at 11:22 a.m. by Chairman Coppa.